

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 5:21-cr-4-DCB-LGI

MARTIN SCARBERRY

**CORRECTED ORDER VACATING AGREED PRELIMINARY ORDER  
OF FORFEITURE AND ORDERING A RETURN OF PROPERTY**

Before this Court is the United States of America's Corrected Motion to Vacate an Agreed Preliminary Order of Forfeiture and for an Order to Return Property [35], to correct a scrivener's error. Having reviewed the Government's motion, this Court finds that it is well taken and should be GRANTED. In support of its Order, finds as follows:

The Court entered an Agreed Preliminary Order of Forfeiture [27] on July 13, 2021, forfeiting the following (hereafter, the "**Subject Property**"):

CATS ID	Property Description
21-FBI-007870-01	One (1) Ruger Pistol, 9mm Caliber, Model P95DC, Serial No. 312-37044
21-FBI-007870-02	Nineteen (19) Rounds of 9mm Ammunition.

to the United States pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c).

Because the United States has determined that the **Subject Property** was stolen, that the rightful owner is not a prohibited person, and the rightful owner wants the **Subject Property** returned to him, it seeks an Order vacating the Agreed Preliminary Order of Forfeiture [27] and an Order to return the **Subject Property** to its rightful owner.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the FBI shall return the **Subject Property** to its rightful owner as soon as practicable.

IT IS FURTHER ORDERED that the United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order.

SO ORDERED, ADJUDGED, AND DECREED this 25<sup>th</sup> day of March 2022.

s/David Bramlette

UNITED STATES DISTRICT JUDGE

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